

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.04.2019

CORAM :
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.13793 of 2019

A.Rajesh

... Petitioner

Vs.

1. The Superintendent of Police,
Kancheepuram,
Kancheepuram District.
 2. The Inspector of Police,
Sunambedu Police Station,
Kancheepuram District.
- Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents to grant permission and protection for conducting May day function Scheduled to be conducted on 01.05.2019 matches to be held at Vembanur Village, Cheyyar Taluk, Kancheepuram District based on the petitioner's representation dated 27.04.2019.

For Petitioner : Mr.Silambanan
for Mr.M.G.Udayakumar

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed directing the respondents to grant permission and protection for conducting Volley Ball Tournament scheduled to be conducted on 01.05.2019 matches to be held at Vembanur Village, Cheyyar Taluk, Kancheepuram District based on the petitioner's representation dated 27.04.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2 and also perused the materials available on record.

3. The learned counsel appearing for the petitioner submitted that the villagers of Vembanur are celebrating "May Day" (Uzhaipalar Dinam) in a peaceful manner without disturbing the public and the villagers. The villagers have planned to

celebrate "May Day" function on 01.05.2019 with Volley Ball tournament. In the above said function, 30 volley ball tournament teams hailing from various villages for more than 180 players are participating in the above said function. The said function is celebrating for the purpose of developing the unity between the villagers and developing the cultural activities. In this regard, the petitioner gave a representation dated 27.04.2019 to the second respondent police in person seeking to give police protection and permission to conduct the said programme in the petitioner's village. After receipt of the representation, the second respondent police refused to give police protection. Hence, the petitioner has filed the present writ petition seeking police protection before this Court.

4. The learned Additional Public Prosecutor appearing for the respondents submitted that the police does not have any reservations on the place, where the tournament is to be conducted. However, there is an apprehension that some law and order problem may arise during the tournament.

5. Considering the facts and circumstances of the case, the respondents/police are directed to grant permission for conducting the Volley Ball tournament scheduled to be held on 01.05.2019 at Vembanur Village, Cheyyar Taluk, Kancheepuram District, by stipulating the following conditions:

i) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed;

ii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity;

iii) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue;

iv) The participants of "Volley Ball" tournament shall not wear any form of dress showing offending slogans or picture of any communal/political leader which may cause disturbance;

v) Songs praising communal leader or having communal overtones should not be played;

vi) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed;

vii) There should not be any Flex Boards representing any community or political leaders;

viii) If there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

ix) Similarly, the Police is empowered to stop the Volley Ball tournament, if it exceeds beyond the permitted time;

x) the participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

xi) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

xii) The Referee must be authorized person from the District Association; and

xiii) The second respondent is at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity, so as to maintain law and order and communal harmony.

5. The petitioner is directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the tournament.

6. The writ petition stands disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

2. The Inspector of Police,
Sunambedu Police Station,
Kancheepuram District.

3. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.M.G.Udayakumar, Advocate, S.R.No.42844

W.P.No.13793 of 2019

KAN(CO)

RRS(30/04/2019)